Applicants: Sawyers et al. U.S. Serial No.: 10/022,115 Filed: December 14, 2001

Page: 4

The new claims are supported by the originally filed application and do not involve new matter. Accordingly, entry of new claims 2-15 is respectfully requested.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with the filing of this Preliminary Amendment. If, however, a fee is deemed necessary, Applicants hereby authorize the Patent Office to charge the amount of any such fee to Deposit Account No. 50-0306.

Respectfully submitted,

Sarah B. Adriano

Registration No. 34,470

Stephanie Hsieh

Registration No. 38,497

Attorneys for Applicants MANDEL & ADRIANO

35 N Arroyo Parkway

Pasadena, California 91103

(626) 395-7801

Customer No. 26, 941

Applicants: Sawyers et al. U.S. Serial No.: 10/022,115 Filed: December 14, 2001

Page: 5

## **EXHIBIT 1**

## VERSION WITH MARKINGS TO SHOW CHANGES MADE

## In the claims:

- --2. (New) A method for assessing the effect of a composition or treatment on human prostate cancer, comprising:
  - a. providing an immune deficient mouse comprising a human prostate cancer xenograft of locally advanced or metastatic prostate cancer tissue or a cell suspension thereof;
  - b. subjecting the mouse to the composition or treatment; and,
  - c. determining the effect of the composition or treatment on the growth of the xenograft in said mouse.--
- --3. (New) The method of claim 2, wherein the detecting step comprises comparing the growth of the xenograft in the mouse to the growth of the xenograft in at least another immune deficient mouse that did not receive the treatment.--
- --4. (New) The method of claim 2, wherein the providing step provides an immune deficient mouse bearing a subcutaneous xenograft.--
- --5. (New) The method of claim 2, wherein the providing step provides an immune deficient mouse bearing an intraprostatic xenograft.--

Applicants: Sawyers et al. U.S. Serial No.: 10/022,115 Filed: December 14, 2001

Page: 6

- --6. (New) The method of claim 2, wherein the providing step provides an immune deficient mouse bearing a xenograft within a bone marrow cavity of the mouse.--
- --7. (New) The method of claim 2, wherein:
  - c. step (b) subjects the xenograft mouse to a composition or treatment the efficacy of which, respectively, is not known for treating human prostate cancer; and,
  - d. step (c) determines that the treatment or composition is efficacious in impairing the growth of the human prostate cancer xenograft in the mouse.
- --8. (New) An efficacious composition assessed according to the method of claim 7.--
- --9. (New) An efficacious treatment assessed according to the method of claim 7,--
- --10. (New) A method for impairing the progression of human prostate cancer comprising: providing the composition of claim 8 to a subject comprising human prostate cancer cells,--
- --11. (New) The method of claim 10, wherein the subject is a human.--
- --12. (New) The method of claim 10, wherein the subject is a mouse bearing a human prostate cancer xenograft.--
- --13. (New) A method for impairing the progression of human prostate cancer comprising:

Applicants: Sawyers et al. U.S. Serial No.: 10/022,115 Filed: December 14, 2001

Page: 7

- a. providing the treatment of claim 9 to a subject comprising human prostate cancer cells,--
- --14. (New) The method of claim 13, wherein the subject is a human.--
- --15. (New) The method of claim 13, wherein the subject is a mouse bearing a human prostate cancer xenograft.--